

Case 5:05-cr-00540-RMW Document 26-2 Filed 08/25/2005 Page 1 of 2

**FILED**

AUG 26 2005

CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

1 KEVIN V. RYAN (CASBN 118321)  
 2 United States Attorney

3 EUMI L. CHOI (WVBN 07225)  
 4 Chief, Criminal Division

5 H. H. (SHASHI) KEWALRAMANI (TXSBN 796879)  
 6 Assistant United States Attorney

7 150 Almaden Blvd., Suite 900  
 8 San Jose, California 95113  
 9 Telephone: (408) 535-50610  
 10 Facsimile: (408) 535-5066

11 Attorneys for Plaintiff

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,	)	Case No. 05-70140 PVT/CR 05-00540
13 Plaintiff,	)	RMW <i>DVT</i>
14 v.	)	[PROPOSED] ORDER GRANTING STIPULATION TO WAIVE TIME UNDER SPEEDY TRIAL CLOCK AND FOR PRELIMINARY HEARING
15 SHIN-GUO TSAI,	)	
16 Defendant.	)	Date: August 25, 2005 Time: 9:30 a.m. Before the Honorable Patricia V. Trumbull
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**[PROPOSED] ORDER**

19 This matter is set to come before the Court on August 25, 2005 at 9:30 a.m. for preliminary  
 20 hearing or arraignment. Pursuant to Federal Rule of Criminal Procedure 5.1(d), the Defendant  
 21 waived time for preliminary hearing until September 1, 2005 at 2 p.m. The parties notified the  
 22 Court that the parties believe they have resolved the matter pursuant to a plea agreement. The  
 23 parties requested that the period of time between August 25, 2005 and September 1, 2005 be  
 24 excluded from the Speedy Trial Clock to allow for the to allow for effective preparation of  
 25 counsel. Good cause appearing therefor,

26 **IT IS HEREBY ORDERED** that the period of time between August 25, 2005 and  
 27 September 1, 2005 is excluded from the Speedy Trial Clock to allow for the effective preparation

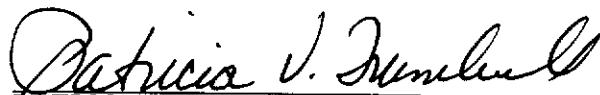
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[PROPOSED] ORDER GRANTING PRELIMINARY  
HEARING EXTENSION AND EXCLUSION  
Case No. 05-70140 PVT/CR 05-00540 RMW

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1 of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the “ends of justice served by  
2 the granting of such continuance outweigh[s] the best interests of the public and the defendant in  
3 a speedy trial.” 18 U.S.C. § 3161(h)(8)(A). Additionally, the Court finds that the Defendant,  
4 Shin-Guo Tsai, knowingly and voluntarily waived the period between August 25, 2005 and  
5 September 1, 2005, such that preliminary hearing is now scheduled for September 1, 2005 at  
6 2 p.m.

7 DATED: 8/26/05

8   
9 PATRICIA V. TRUMBULL  
10 Chief United States Magistrate Judge

11 Distribute to:

12 John D. Robertson  
13 Law Offices of John D. Robertson  
14 1055 Wilshire Blvd., Suit 1702  
15 Los Angeles, CA 90017  
16 Counsel for Defendant

17 Vivian Lu  
18 Law Offices of Vivian Lu  
19 35485-B Dumbarton Court  
20 Newark, CA 94560  
Counsel for Defendant

21 H. H. (Shashi) Kewalramani  
22 Assistant United States Attorney  
23 150 Almaden Blvd., Suite 900  
24 San Jose, CA 95113  
25 Counsel for Plaintiff

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27

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[PROPOSED] ORDER GRANTING PRELIMINARY  
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